

PROJECT NAME: BOAT HOUSE, LITTLE DIAMOND ISLAND 105-5-15 (10417)

PROPOSED DEVELOPMENT ADDRESS:

ROCKLEDGE AVE & McHAULEY WAY Little DIAMOND Island

PROJECT DESCRIPTION:

CONSTRUCTION OF A 14'X20' (280'±) BOAT HOUSE

CHART/BLOCK/LOT: 105-5-15

PRELIMINARY PLAN _____ (date)
FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: <u>PATRICIA HAGGE</u> Business Name, if applicable: Address: <u>225 Commercial St</u> City/State: <u>Portland</u> Zip Code: <u>04101</u>	Applicant Contact Information Work # <u>207-775-7442</u> Home# Cell # <u>749-0534</u> Fax# e-mail:
Owner – (if different from Applicant) Name: <u>SAME</u> Address: City/State: Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: <u>Cyrus Hagge</u> Address: <u>225 Commercial St</u> City/State: <u>Portland</u> Zip Code: <u>04101</u>	Agent/Representative Contact information Work # <u>775-7442</u> Cell # e-mail: <u>chagge@mac.com</u>
Billing Information Name: <u>Cyrus Hagge</u> Address: <u>225 Commercial St</u> City/State: <u>Portland</u> Zip Code: <u>04101</u>	Billing Information Work # <u>775-7442</u> Cell # Fax# <u>761-0922</u> e-mail:

Cyrus Y. Hagge

225 Commercial Street, Suite 502
Portland, Maine 04101-4613
207-775-7442
FAX 207-761-0922
chagge@mac.com

March 29, 2011

Planning Dept.
City of Portland
389 Congress Street
Portland ME 04101

RE: Boat House, map 105-J-15, Little Diamond island

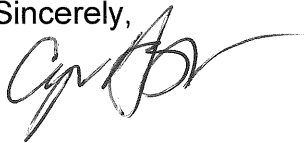
Dear Planning Staff:

We are proposing to build a single story 14' by 20' boathouse. The proposed structure is within the 250' shoreland zone on a new lot that was part of an subdivision approved by the planning board and recorded July 23, 2009.

The proposed structure is 110' from the top of bank at the water side of the lot. With access from McAulrey Road. There are no proposed utility connections. The proposed structure and driveway will not require the removal any of the large oak trees located on the site.

If you have questions or comments, don't hesitate to contact me.

Sincerely,



Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:
Surveyor OWEN HASKELL Name: JOHN SWAN Address: 390 US Rt. 1 City/State : Falmouth Zip Code: 04105	Surveyor Contact Information Work # 774-0424 Cell # Fax# e-mail: JSWAN@OWENHASKELL.COM
Architect Name: LELAND HULST Address: 278 Spring St City/State : PORTLAND Zip Code: 04102	Architect Contact Information Work # 773-2843 Cell # Fax# e-mail: LHULST@ME.COM
Attorney Name: ALAN NYE Address: 225 Commercial St, #404 City/State : Portland Zip Code: 04101	Attorney Contact Information Work # 828-4400 Cell # Fax# e-mail: anye@alannye.com

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

Level II Development (check applicable reviews) ___ Less than 10,000 sq. ft. (\$400.00) ___ After-the-fact Review (\$1,000.00 plus applicable application fee) <hr/> The City invoices separately for the following: <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.	Fees Paid (office use) ___ ___	Other Reviews (check applicable reviews) ___ Traffic Movement (\$1,000) ___ Stormwater Quality (\$250) ___ Section 14-403 Review (\$400 + \$25/lot) # of Lots ___ x \$25/lot = _____ ___ Other _____ ___ Change of Use ___ Flood Plain <input checked="" type="checkbox"/> Shoreland ___ Design Review ___ Housing Replacement ___ Historic Preservation	Fees Paid (office use) ___ ___ ___
Plan Amendments (check applicable reviews) ___ Planning Staff Review (\$250) ___ Planning Board Review (\$500)	Fees Paid (office use) ___ ___		

PROJECT DATA

The following information is required where applicable, in order complete the application

Total Site Area	3.75 Acres	sq. ft.
Proposed Total Disturbed Area of the Site		sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)		
IMPERVIOUS SURFACE AREA		
• Proposed Total Paved Area	- NONE	0 sq. ft.
• Existing Total Impervious Area	0 300	sq. ft.
• Proposed Total Impervious Area	280 300	sq. ft.
• Proposed Total Impervious Area	280 300	sq. ft.
• Proposed Impervious Net Change	280 300	sq. ft.
BUILDING AREA		
• Proposed Building Footprint	280	sq. ft.
• Proposed Building Footprint Net change	280	sq. ft.
• Existing Total Building Floor Area	0 250	sq. ft.
• Proposed Total Building Floor Area	280	sq. ft.
• Proposed Building Floor Area Net Change	280	sq. ft.
• New Building	YES	(yes or no)
ZONING		
• Existing	IR1	
• Proposed, if applicable	NO Change Proposed	
LAND USE		
• Existing	Island Res. Lot	
• Proposed	" " "	
RESIDENTIAL, IF APPLICABLE		
• Proposed Number of Affordable Housing Units	0	
• Proposed Number of Residential Units to be Demolished	0	
• Existing Number of Residential Units	0	
• Proposed Number of Residential Units	0	
• Subdivision, Proposed Number of Lots	0	
PARKING SPACES		
• Existing Number of Parking Spaces	0	
• Proposed Number of Parking Spaces	0	
• Number of Handicapped Parking Spaces	0	
• Proposed Total Parking Spaces	0	
BICYCLE PARKING SPACES		
• Existing Number of Bicycle Parking Spaces	0	
• Existing Number of Bicycle Parking Spaces	0	
• Proposed Number of Bicycle Parking Spaces	0	
• Total Bicycle Parking Spaces	0	
ESTIMATED COST OF PROJECT	\$ 16,000	

APPLICATION SUBMISSION

As of December 1, 2010, all site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Until December 1, 2010, submissions shall include seven (7) packets with folded plans containing the following materials:

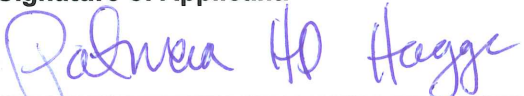
1. **Seven (7) full size site plans** that must be **folded**.
2. Seven (7) copies of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level II Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 3-21-11
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PROJECT DATA

The following information is required where applicable, in order complete the application

Total Site Area	3.75 ACRES	sq. ft.
Proposed Total Disturbed Area of the Site	280	sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)		
IMPERVIOUS SURFACE AREA		
• Proposed Total Paved Area	0	sq. ft.
• Existing Total Impervious Area	0	sq. ft.
• Proposed Total Impervious Area	280	sq. ft.
• Proposed Total Impervious Area	280	sq. ft.
• Proposed Impervious Net Change	280	sq. ft.
BUILDING AREA		
• Proposed Building Footprint	280	sq. ft.
• Proposed Building Footprint Net change	280	sq. ft.
• Existing Total Building Floor Area	0	sq. ft.
• Proposed Total Building Floor Area	280	sq. ft.
• Proposed Building Floor Area Net Change	280	sq. ft.
• New Building	YES	(yes or no)
ZONING		
• Existing	IR 1	
• Proposed, if applicable	NO CHANGE	
LAND USE		
• Existing	WOODEN Island RES	
• Proposed	"	" 4
RESIDENTIAL, IF APPLICABLE		
• Proposed Number of Affordable Housing Units	NONE	0
• Proposed Number of Residential Units to be Demolished	NONE	
• Existing Number of Residential Units	↓	
• Proposed Number of Residential Units	↓	
• Subdivision, Proposed Number of Lots	↓	
PARKING SPACES		
• Existing Number of Parking Spaces	NONE	
• Proposed Number of Parking Spaces	NONE	
• Number of Handicapped Parking Spaces	NONE	
• Proposed Total Parking Spaces	NONE	
BICYCLE PARKING SPACES		
• Existing Number of Bicycle Parking Spaces	0	
• Existing Number of Bicycle Parking Spaces	↓	
• Proposed Number of Bicycle Parking Spaces	↓	
• Total Bicycle Parking Spaces	↓	
ESTIMATED COST OF PROJECT		
	\$16,000	

Level II Preliminary Site Plan Development Review

Written description of project: Patricia Hagge proposes to construct a 280 sq.ft. boathouse on tax assessor lot 105-J-15 on Little Diamond Island within the 250' shore land zone. The proposed structure will be a single story wood structure in the classic island shingle style. The ridge line of the 17' tall structure will have a finish floor height of 27' at the 26' grade line. The building will have a wood ramp to access the storage area.

The impact on the site will be minimal with no proposed grade changes. The concrete post foundation will be hand dug and backfilled. While there is water, electricity and telephone service at the site there are no proposed utility connections with this project. The proposed siting of the structure will not require the removal of any significant trees. The goal of the project is to have no measurable impact on the existing natural storm water drainage. Given the size of the project, all building materials will be shipped via Casco Bay Lines to the state pier and there will be no barge service required at the sandbar.
(See Attached A)

There will be no traffic considerations due to the ban on motor vehicles on the island. The proposed driveway will only need to accommodate riding lawn mowers and golf carts. The plan is to trailer the small boats behind a golf cart. The proposed driveway will be a path from McAuley Road to the proposed boat house over the existing ground without any additional fill. Since the owner of the proposed structure has a residence on the abutting lot 105-J-10 access will also be available from the abutting driveway. There are no proposed grading changes for the driveway.

The City of Portland has virtually no fire protection equipment on the island except for an emergency rescue golf cart and a small trailer with a water pump. There is a fire hydrant and hose box within 125' of the proposed structure. In the event of a fire emergency, the city could bring over equipment across the sandbar from Great Diamond if the tide is right and would be able to service the structure from McAuley Road.

Evidence of right, title and interest: See attached Deed. (Attachment B)

Copies of State and Federal permits: None required.

Written Assessment of Zoning: In the IR1 zone, section 14-145.2.(d), boathouses are a permitted use. (See attachment C)

Written description of existing and proposed easement or other burdens: This lot is subject to a private conservation easement between the

Little Diamond Island Assoc. and Saint Joseph's Convent & Hospital. The easement limits the number residential units that may be constructed, prohibits the use of motor vehicles and requires an oak tree preservation plan. The second easement is reserved for Portland Water District. The third easement is for McAuley Road, electricity, telephone and water to service lots 105-J-10,11&12. (See attachment D)

Written request for waivers: None requested

Traffic analysis: Motor Vehicles are prohibited from Little Diamond Island and the site.

Written Summary of significant natural features located on the site: The site has a number of large Red Oak trees and a steep bank down to the shore. The proposed structure is 110' from the top of the bank and no oak trees will be impacted.

Written summary of the project's consistency with the city master plans: The proposed plan is in conformance of the city land use code. (See attachment C)

Evidence of Financial and Technical capacity: Given the size and scope of the project, the owner will not be needing financing. The owner's agent has over thirty years of development and contracting experience. (Attachment E)

Evidence of utilities' capacity to serve the development: Portland Water District, CMP and Fairpoint Communications have service at the site, no utility connections are proposed for the boathouse.

Written summary of the fire safety: The proposed structure is free standing and non-residential. While Little Diamond Island is in the City of Portland, the island has limited fire protection provided by the city. At the current time, there is a hydrant and hose box next to the lot with in a 125'+-.

Construction Management plan:

Rockledge Avenue, Applicant Patricia Hagge Lot 105-J-15

General Requirements:

Prepare necessary architectural design and structural engineering. Remove all construction debris and waste materials on a regular basis and keep site and structure clean and neat at all times. Secure all necessary building permits and approvals. At completion leave Boat house broom clean and free of all left over building materials and debris. All building materials delivered to LDI via Casco Bay Lines.

Site Work:

Clear away brush lot to open up and provide adequate space to site boat house, and driveway. Hand excavate and backfill precast foundation post. Protect all large trees from damage.

Concrete:

Install precast foundation posts per plan. See Attached Structural Engineering plans prepare by Mooney Engineering.

Carpentry:

Rough Carpentry: All floor, wall, roof and structural member framing to be installed as per engineering plans with blocking. Walls to be 2x6 KD spruce 16 on center" with 1/2" cdx plywood. Floor framing to be 2x10 kd spruce with 3/4" AC fir T&G plywood glued and nailed. Roof framing to be 2x6 KD Spruce with 1x12 T&G pine. All framing will conform with hurricane framing standards as per building codes.

Exterior Carpentry: Walls to be sided with cedar shingles 4" to the weather with woven corners . All exterior trim to #2 pine with 5/4 x 4 window and door trim. Facias to be 1x8 with 1x3 build out. Soffits to be 1x8 and frieze board to be 5/4 x 4 pine.

Thermal/Moisture Protection:

Insulation: None. This is an un heated boathouse.

Moisture: All exterior walls wrapped in Tyvar building wrap. Roofing will include asphalt shngles in dark green

Paint: Paint all exposed trim one coat primer and one coat color on all four sides and one coat after intallation.

Doors and Windows:

Exterior: Anderson vinyl Windows with as specified by Architect.
Exterior door made on site of pine matchboard.

Mechanical:

Heating: None

Plumbing: None

Electrical:

Electrical: None

See attached building permit application and scope of work. (Attachment A)

Traffic Plan: None required due to ban on motor vehicles. The applicant will clear a 10' wide path to the structure to move small boats in and out.

Storm water management plan: None project too small to be measurable. The proposed project will impact 280sq.ft. of a 3.75 acre lot. There are no proposed changes to the site and the existing drainage. The change in impervious surface area will have no impact upon the site drainage.

Written summary of solid waste generation and proposed management of solid waste: This boat house will generate virtually no waste. City provides seasonal curb side recycling and trash pick up.

Written assessment of conformity with applicable design standards:
None apply

Manufacturer's verification that HVAC equipment meet applicable state and federal emissions requirements: No HVAC equipment proposed.

A-1



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>Rockledge Ave, Little Diamond Island</u>		
Total Square Footage of Proposed Structure/Area <u>280 SF</u>		Square Footage of Lot <u>3.75 A (163,350 SF)</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>105 J 15</u>	Applicant * <u>must be owner, Lessee or Buyer*</u> Name <u>PATRICIA HAGGE</u> Address <u>225 Commercial St.</u> City, State & Zip <u>Portland 04101</u>	Telephone: <u>207</u> <u>775</u> <u>7442</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>14,250</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>VACANT LAND</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>BOATHOUSE</u> Is property part of a subdivision? <u>YES</u> If yes, please name <u>SISTERS lots, Rockledge Ave</u> Project description: <u>Construct a 14' x 20' single story BOATHOUSE (NON-RESIDENTIAL)</u> <u>SUBDIVISION 2008-0162</u>		
Contractor's name: <u>PROJECT MGMT, INC</u> Address: <u>225 COMMERCIAL ST</u> City, State & Zip <u>Portland, Me 04101</u> Telephone: <u>749-0534</u> Who should we contact when the permit is ready: <u>CYRUS HAGGE</u> Telephone: _____ Mailing address: <u>SAME</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Cyrus Hagge Date: 3-2-11

This is not a permit; you may not commence ANY work until the permit is issued

A-2

PROJECT MANAGEMENT, INC.

225 Commercial Street, Suite 502
Portland, Maine 04101-4613
207-749-0534
FAX 207-761-0922
chagge@mac.com

March 2, 2011

Building Inspections
City of Portland
Portland, Maine 04101

RE: Construction of Boathouse, Rockledge Ave Little Diamond Island

Dear Sir or Madam:

Enclosed please find an application for a building permit for the construction of a Boathouse.

1. Architectural Drawings, Prepared by Leland Hulst AIA
2. Structural Engineering, Prepared by Mooney Engineering
3. Site Plan. Prepared by Owen Haskell
4. Door and Window Schedule
5. Scope of work

If you have need of additional information, don't hesitate to contact me.

Sincerely,

Cyrus Y. Hagge

Boathouse Door and Window Schedule

Item	Description	Size	Swing	wall thickness	Style	Door knobs
1	DBL entranc	2-3'-6"X7'-0"	Mr/MRS	2x6 5 1/2"	#3 Pine matchboard w/ Z brace	Latch with Lock
3	A41V	4'-0"X2'0"	Awning	2x6 5 1/2"	Anderson 400 series window	
2	A3052	3'-15/8"X5'5 1/4"	DBL Hung	2x6 5 1/2"	Anderson 400 series window	

Windows

Rockledge Avenue, Applicant Patricia Hagge Lot 105-J-15

General Requirements:

Prepare necessary architectural design and structural engineering. Remove all construction debris and waste materials on a regular basis and keep site and structure clean and neat at all times. Secure all necessary building permits and approvals. At completion leave Boat house broom clean and free of all left over building materials and debris. All building materials delivered to LDI via Casco Bay Lines.

Site Work:

Clear away brush lot to open up and provide adequate space to site boat house, and driveway. Hand excavate and backfill precast foundation post. Protect all large trees from damage.

Concrete:

Install precast foundation posts per plan. See Attached Structural Engineering plans prepare by Mooney Engineering.

Carpentry:

Rough Carpentry: All floor, wall, roof and structural member framing to be installed as per engineering plans with blocking. Walls to be 2x6 KD spruce 16 on center" with 1/2" cdx plywood. Floor framing to be 2x10 kd spruce with 3/4" AC fir T&G plywood glued and nailed. Roof framing to be 2x6 KD Spruce with 1x12 T&G pine. All framing will conform with hurricane framing standards as per building codes.

Exterior Carpentry: Walls to be sided with cedar shingles 4" to the weather with woven corners . All exterior trim to #2 pine with 5/4 x 4 window and door trim. Facias to be 1x8 with 1x3 build out. Soffits to be 1x8 and frieze board to be 5/4 x 4 pine.

Thermal/Moisture Protection:

Insulation: None. This is an un heated boathouse.

Moisture: All exterior walls wrapped in Tyvar building wrap. Roofing will include asphalt shngles in dark green

Paint: Paint all exposed trim one coat primer and one coat color on all four sides and one coat after intallation.

Doors and Windows:

Exterior: Anderson vinyl Windows with as specified by Architect. Exterior door made on site of pine matchboard.

Mechanical:

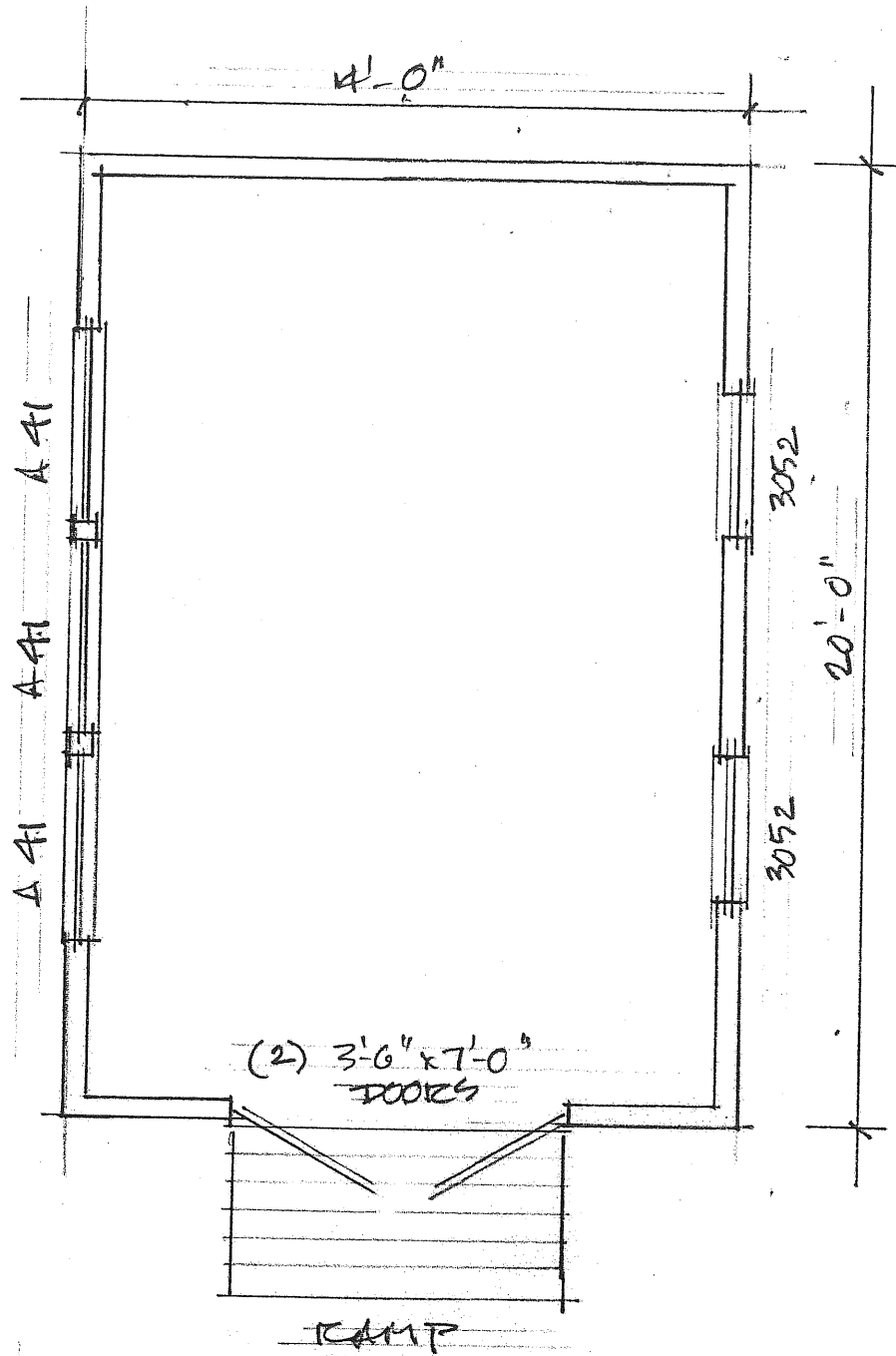
Heating: None

Plumbing: None

Electrical:

Electrical: None

Ab



HAGGE BOAT HOUSE

LITTLE DIAMOND ISLAND

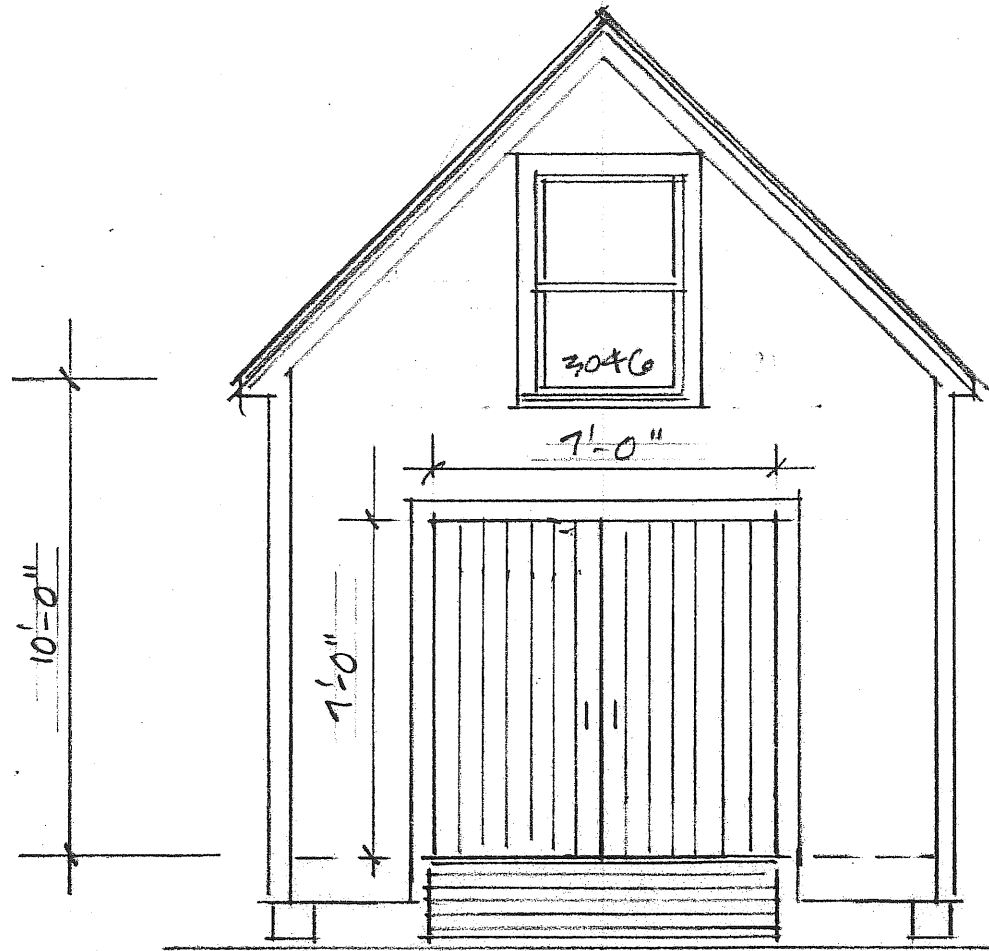
1/4" = 1'-0"

7/12/10



LELAND HULST
ARCHITECTURAL SERVICES

278 Spring Street / Portland, Maine 04102 / (207) 773-2843



FRONT ELEVATION

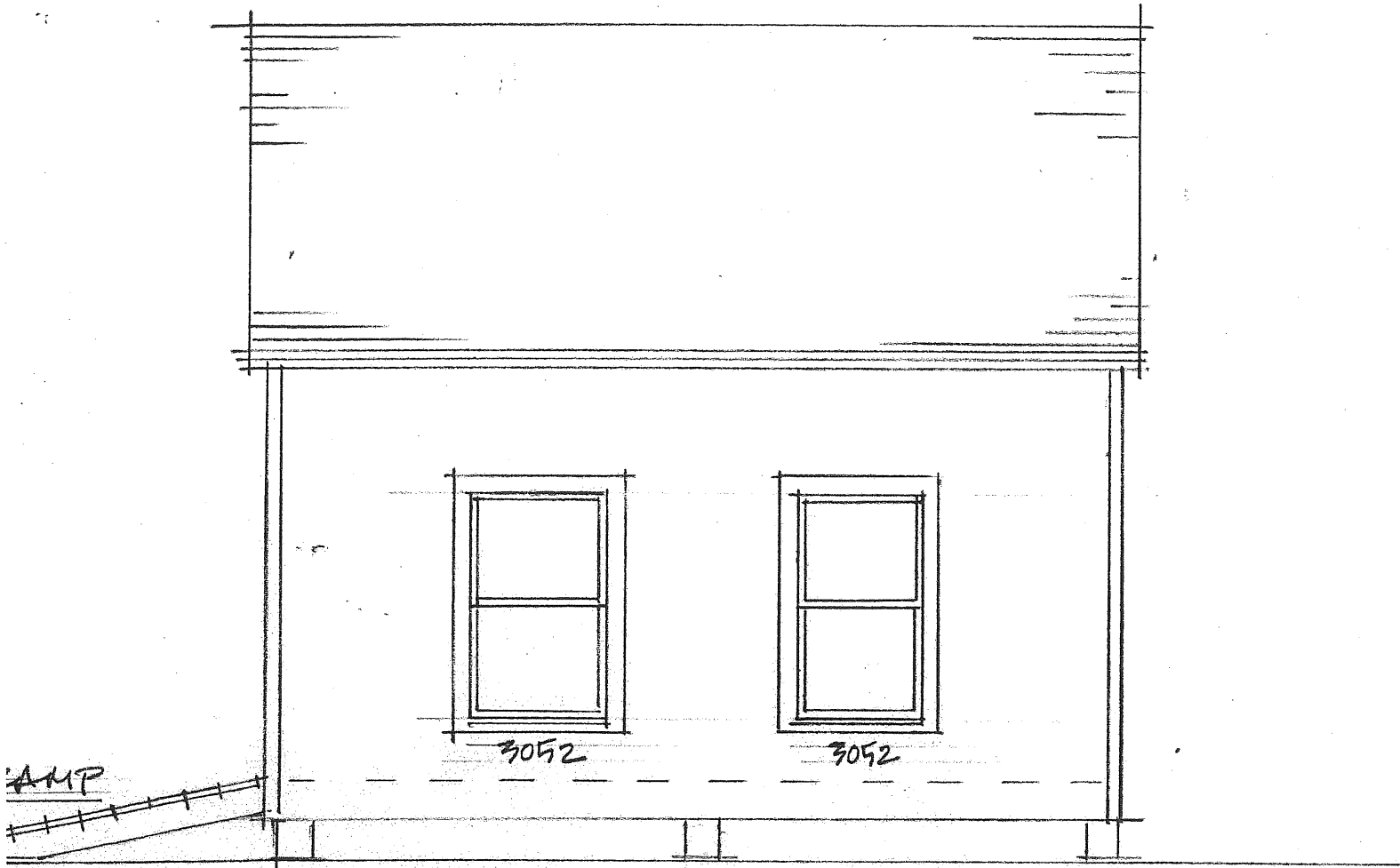
1/4" = 1'-0"

HAGGE BOAT HOUSE

LITTLE DIAMOND ISLAND

7 / 12 / 10

AE



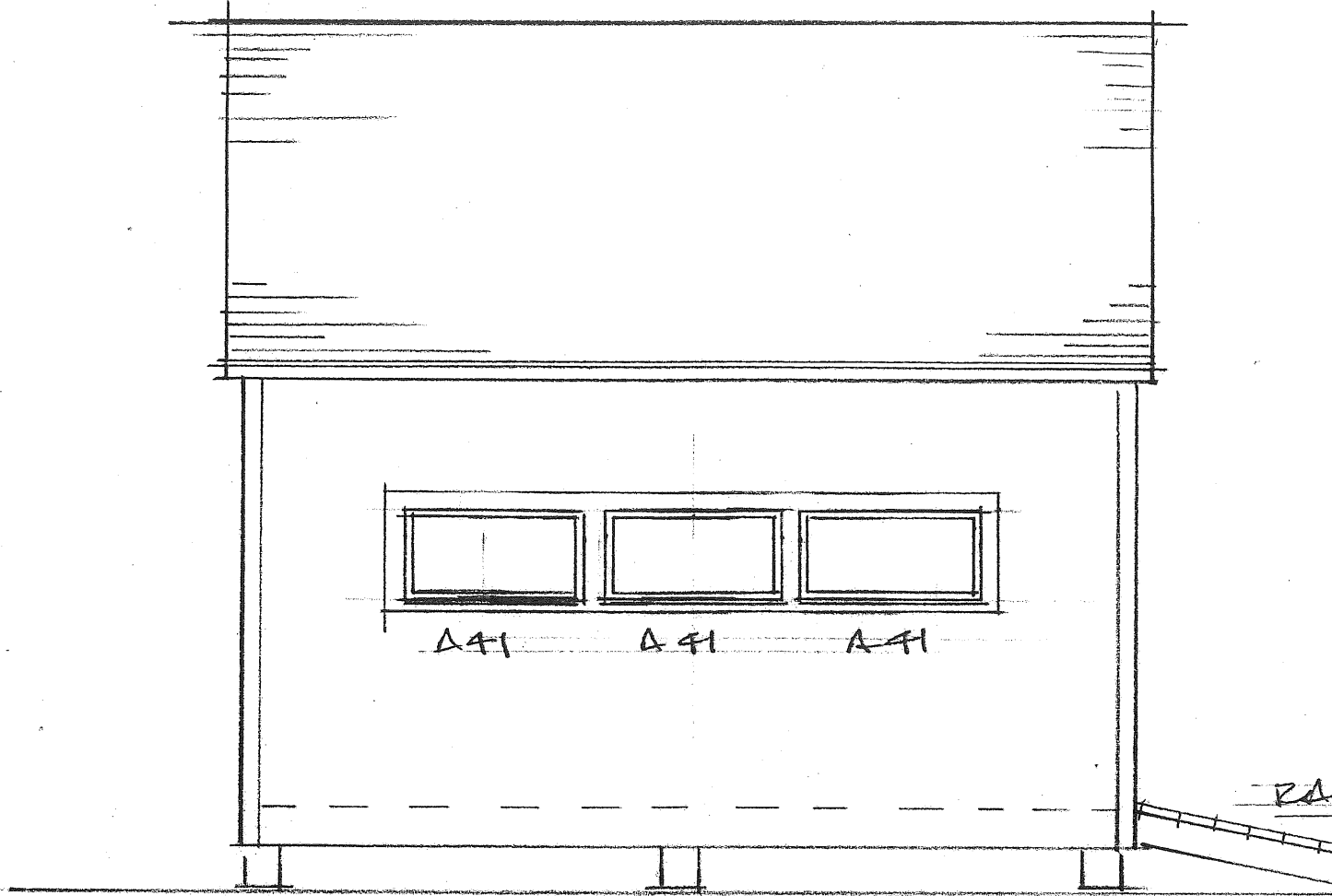
SIDE ELEVATION



LELAND HULST
ARCHITECTURAL SERVICES

278 Spring Street / Portland, Maine 04102 / (207) 773-2843

89



NORTH ELEVATION

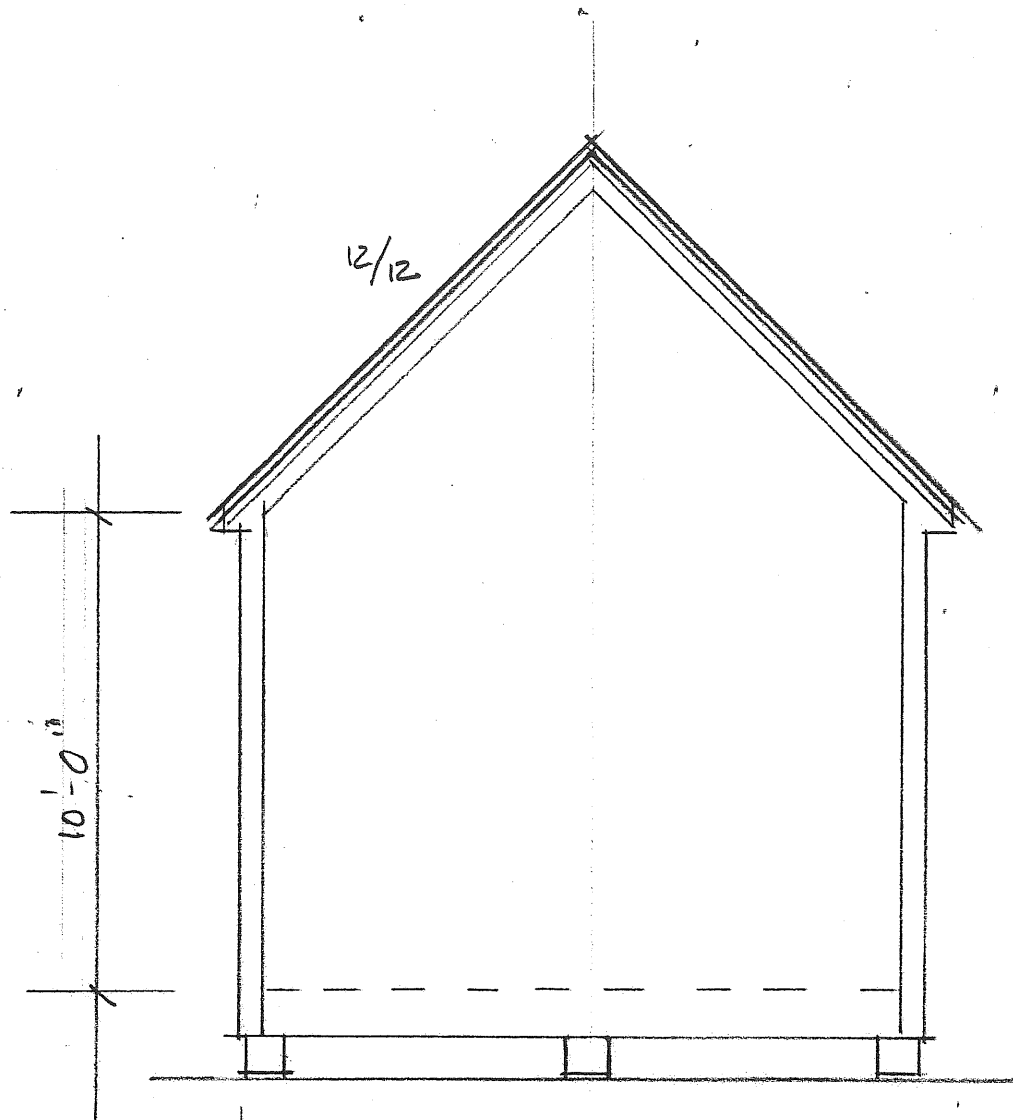
$\frac{1}{4}'' = 1'-0''$

HAGGE BOAT HOUSE

LITTLE DIAMOND ISLAND

7 | 12 | 10

A-10

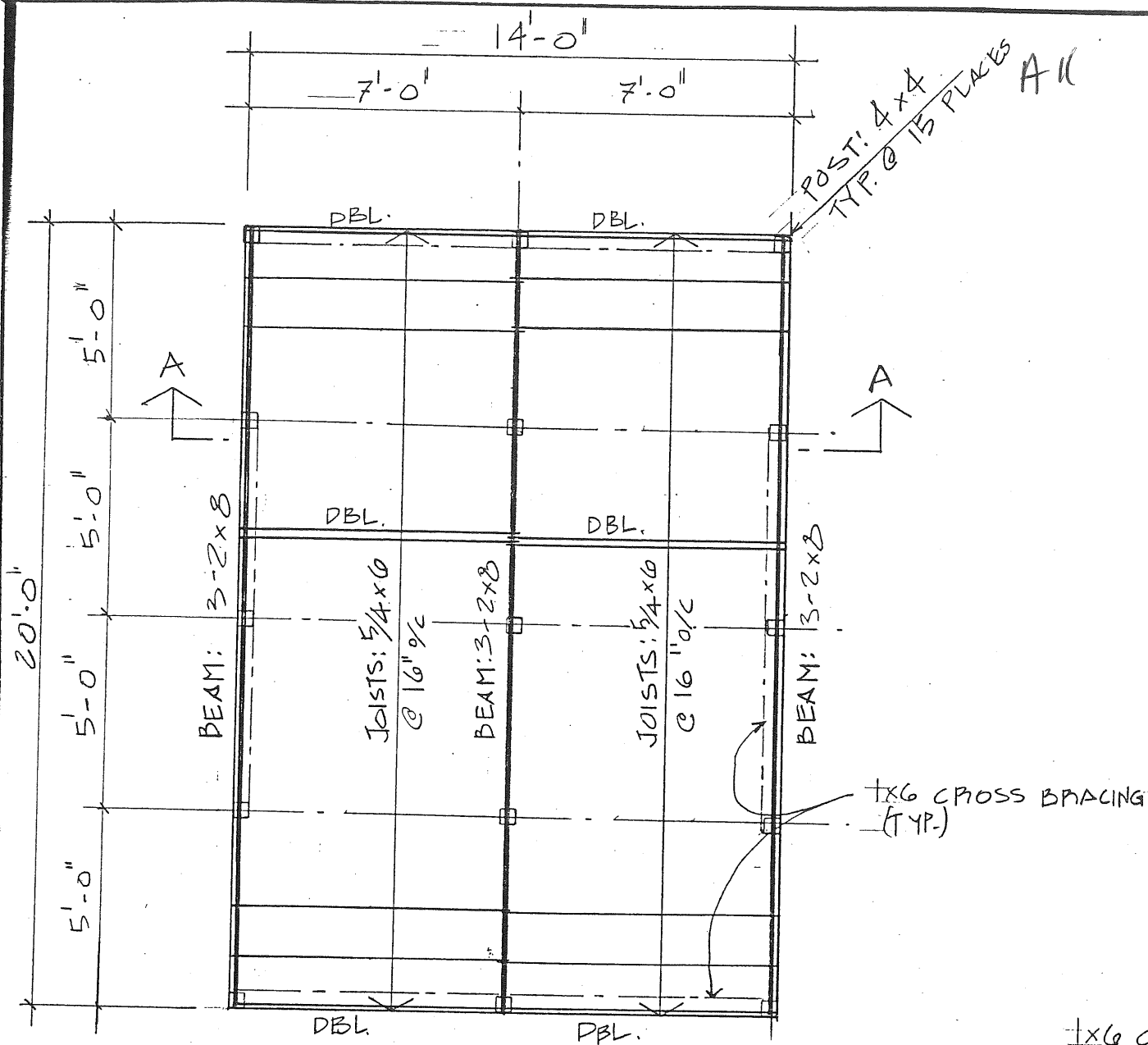


EAST ELEVATION



L E L A N D H U L S T
ARCHITECTURAL SERVICES

278 Spring Street / Portland, Maine 04102 / (207) 773-2843

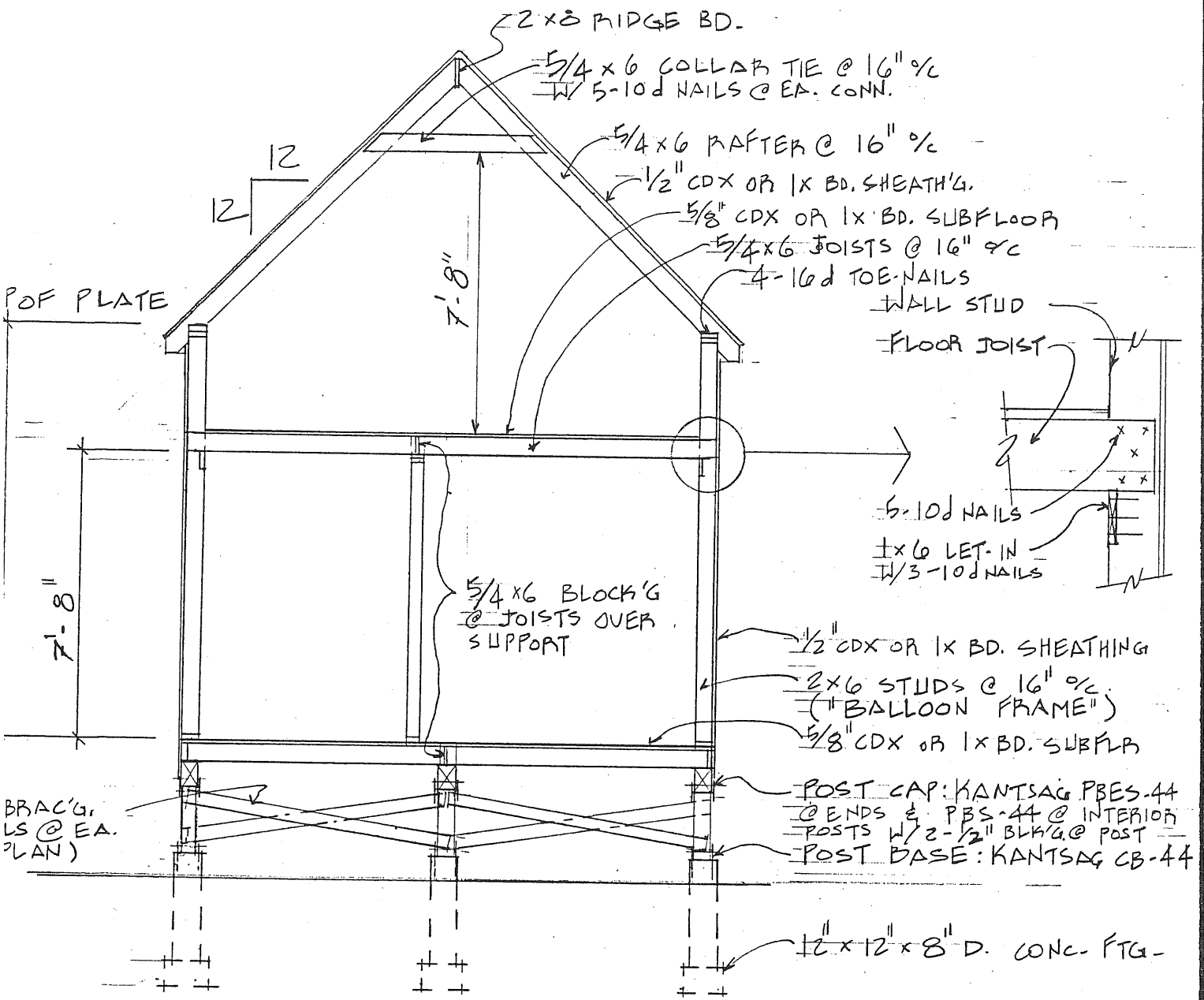


1x6 CRB
1x5-16d
CONN. (S)

FLOOR FRAMING PLAN

1/4" = 1'-0"

T
F
P



BLDG. SECTION A-A

1/4" = 1'-0"

N MOONEY & ASSOCIATES
 PROFESSIONAL ENGINEERS & CONSULTANTS
 AND, ME (207) 775-1969

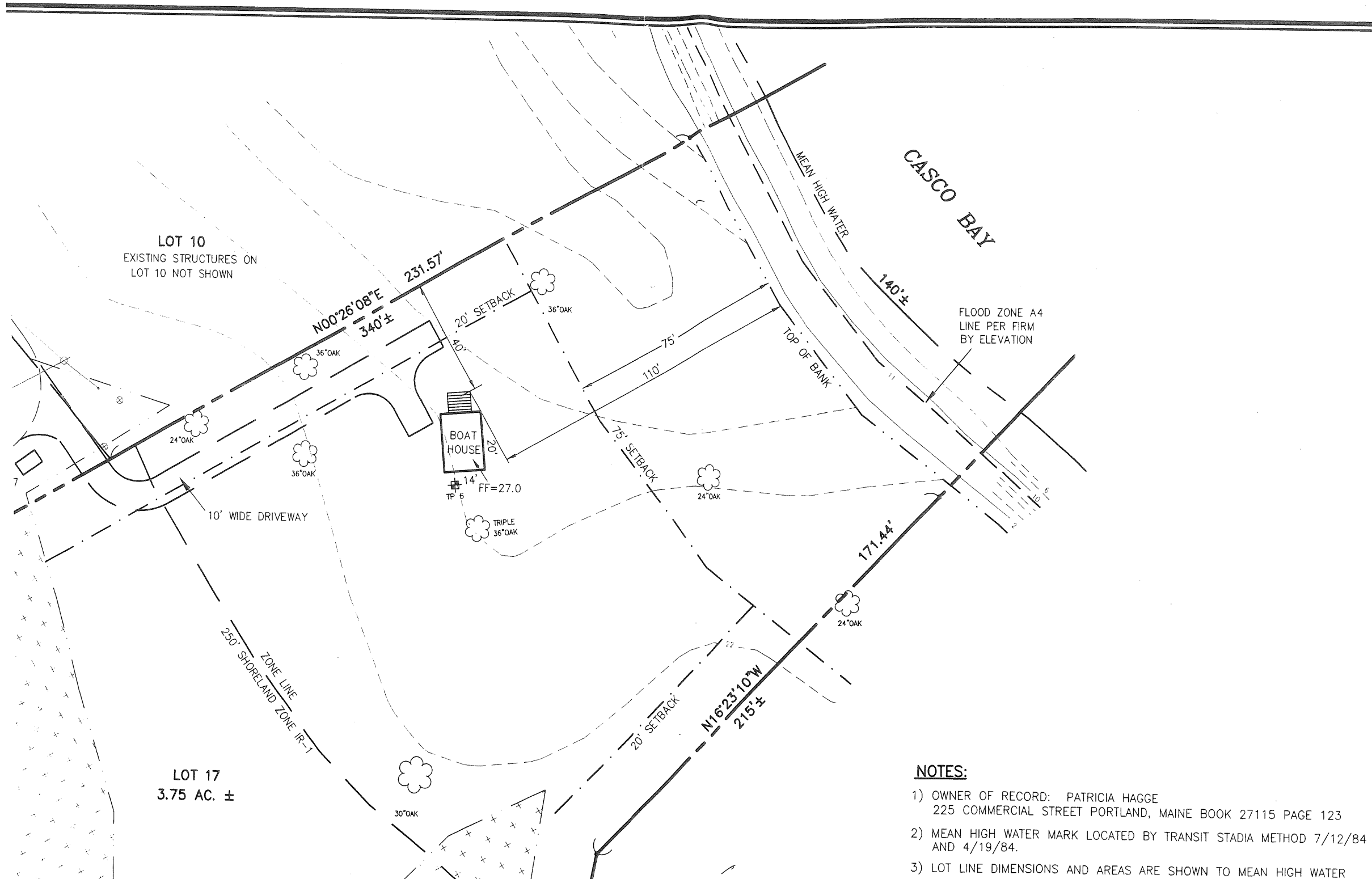
CYRUS HAGGE COTTAGE
 LITTLE DIAMOND ISLAND

JOB NO:
 89-417

DATE:
 10-12-89

BY:
 D. A. M.

SHT. NO:
 1 of 1



LOT 10
EXISTING STRUCTURES ON
LOT 10 NOT SHOWN

LOT 17
3.75 AC. ±

CASCO BAY

FLOOD ZONE A4
LINE PER FIRM
BY ELEVATION

NOTES:

- 1) OWNER OF RECORD: PATRICIA HAGGE
225 COMMERCIAL STREET PORTLAND, MAINE BOOK 27115 PAGE 123
- 2) MEAN HIGH WATER MARK LOCATED BY TRANSIT STADIA METHOD 7/12/84
AND 4/19/84.
- 3) LOT LINE DIMENSIONS AND AREAS ARE SHOWN TO MEAN HIGH WATER

**WARRANTY DEED
Maine Statutory Short Form**

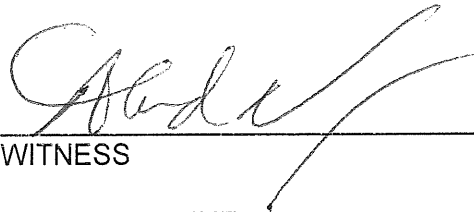
KNOW ALL MEN BY THESE PRESENTS, that I, **CYRUS Y. HAGGE** of Portland, County of Cumberland, and State of Maine for consideration paid, grant to **PATRICIA H.D. HAGGE**, of Portland, Maine, with warranty covenants, the property on Little Diamond Island, Portland, Cumberland County, Maine, described as follows:

Two certain lots or parcels of land, with the buildings thereon situated on Little Diamond Island, being lots number 17 and 19, as delineated and shown on the Subdivision Plan on Rockledge Avenue, Little Diamond Island, Portland, Maine made for Cyrus Hagge by Owen Haskell, Inc., dated May 19, 2009, to be recorded in Cumberland County Registry of Deeds, to which plan reference is hereby made for a more particular description.

Said premises are conveyed subject to those restrictions, notes, easements and other matters shown on said Subdivision Plan.

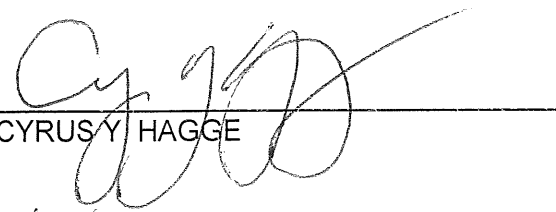
Being a portion of the same premises conveyed to the Grantor herein by deed of St. Joseph's Convent and Hospital dated September 26, 2007 and recorded in the Cumberland County Registry of Deeds in Book 25504, Page 103.

WITNESS my hand and seal this 23rd day of July, 2009.



WITNESS


**STATE OF MAINE
COUNTY OF CUMBERLAND, ss**



CYRUS Y HAGGE
7/23/09

Personally appeared the above named **CYRUS Y. HAGGE** and acknowledged the foregoing instrument to be his free act and deed.

Before me,



NOTARY PUBLIC
Alan R. Nye
Attorney at Law

Received
Recorded Register of Deeds
Jul 23, 2009 10:31:32A
Cumberland County
Pamela E. Lovley

City of Portland
Code of Ordinances
Sec. 14-145

Land Use
Chapter 14
Rev.12-15-10

natural and scenic areas, and to permit only appropriate low intensity development in areas lacking adequate public facilities and services.

(Ord. No. 27-85, § 1, 7-15-85)

Sec. 14-145.2. Permitted uses.

The following uses are permitted in the IR-1 island residential zone:

- (a) Single-family detached dwellings.
- (b) Planned residential unit development with a minimum gross area, as defined in section 14-47 (definitions) of this article, of at least five, (5) acres of contiguous land, consisting of detached dwellings. Minimum yard dimensions (section 14-145.5(c)), street frontage (section 14-145.5(b)), and lot width (section 14-145.5(e)) shall be reduced up to fifty (50) percent of what would otherwise be required. Minimum lot area (section 14-145.5(a)) shall be reduced up to fifty (50) percent provided there is an equivalent corresponding increase in common or public open space that is usable for passive or active recreational opportunities or that serves as a buffer between buildings or between the development and the surrounding neighborhood.

All area in such a development which is to be owned or used in common shall be governed and maintained as set forth in section 14-498(i)(3), article IV (subdivisions) of this chapter.

The density for a planned residential unit development shall not exceed one (1) dwelling unit per forty thousand (40,000) square feet of net area. Net area shall be determined by subtracting from the gross area of the site the area of street rights-of-way, slopes of fifteen (15) percent or greater, wetland.

Such development shall be subject to review and approval by the Planning Board with respect to the requirements of article V (site plan) and article IV (subdivisions) of this chapter, whether or not such development is a

subdivision within the meaning of article IV of this chapter as now enacted or as hereafter amended.

- (c) Agriculture.
- (d) Boat houses and store houses for fishing equipment.
- (e) Parking and storage of equipment related to agriculture or commercial fishing.
- (f) Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article, including but not limited to (a) home occupations, (b) temporary private tenting with one (1) tent accessory to a principal residential use provided that adequate water supplies and sanitation facilities are available in connection with the principal residential use, and (c) road side stands less than two hundred (200) square feet in floor area for the sale of agricultural products produced on the premises and the sale of fish and shellfish caught by the occupant of the dwelling or principal structure.
- (g) Handicapped family unit, as defined in section 14-47, for handicapped persons, plus staff.

(Ord. No. 27-85, § 1, 7-15-85; Ord. No. 160-89, § 1, 12-11-89; Ord. No. 33-91, § 10, 1-23-91)

Sec. 14-145.3. Conditional uses.

The following uses are permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

- (a) Residential:
 - 1. Accessory dwelling unit within and clearly subordinate to a principal single-family detached dwelling, provided that:
 - a. The accessory unit shall be no more than

4117
D-1

CONSERVATION EASEMENT

17256

THIS INDENTURE made this 26 day of July, 1984, by and between ST. JOSEPH'S CONVENT & HOSPITAL, a non-profit corporation incorporated under the laws of the State of Maine and located at Portland, County of Cumberland and State of Maine, hereinafter referred to as "Grantor", and LITTLE DIAMOND ISLAND ASSOCIATION, a non-profit corporation incorporated under the laws of the State of Maine and located at Little Diamond Island, Portland, County of Cumberland and State of Maine, hereinafter referred to as the "Grantee",

W I T N E S S E T H :

WHEREAS, the Grantor holds title to certain real property, hereinafter called the "Protected Property", under a certain deed from St. Elizabeth's Roman Catholic Asylum dated April 23, 1970, and recorded in Cumberland County Registry of Deeds, Book 3132, Page 808, and which is described as follows:

A certain lot or parcel of land with the buildings thereon, constituting the northwesterly half of Little Hog Island (now known as Little Diamond Island), situated in Portland Harbor, in the State of Maine, containing about thirty-three (33) acres of land, and excepting that part of said Island which was conveyed to the United States by deed recorded in Cumberland County Registry of Deeds, Book 415, Page 287. Being the same part of said Island that was set off to James D. Fessenden and Francis Fessenden on parti-

show d by
ne 1/2 of Isle

cc.
10/21/84

d. 7-26-84
r. 5-21-85

tion recorded in Cumberland County Registry of Deeds, Book 468, Page 486, and is marked No. 2 on a plan recorded in said Registry of Deeds, ~~Plan Book 4, Page 24~~. Being the same premises conveyed to James A. Healy by warranty deed bearing a date of August 23 A.D. 1882 and recorded in said Cumberland County Registry of Deeds, Book 492, Page 24, by said James D. Fessenden and Francis Fessenden. Being the same premises conveyed to the St. Elizabeth Orphan Asylum by James A. Healy by deed dated October 5, 1882, and recorded in said Registry of Deeds in Book 492, Page 230.

WHEREAS, the Grantee is the owner of certain real property adjacent to the Protected Property (hereinafter called the "Benefited Property") under a certain deed from Maine Coast Realty Company dated November 27, 1912 and recorded in Cumberland County Registry of Deeds, Book 904, Page 61; and

WHEREAS, the Grantor has received approval from the Portland Planning Board and the Maine Board of Environmental Protection for a subdivision of the Protected Property as shown on the Plan entitled "Subdivision Plat of Land on Little Diamond Island, Portland, Maine for the Saint Joseph's Convent and Hospital" dated June 26, 1984, by Owen Haskell, Inc.; and

WHEREAS, the Grantor desires to place certain restrictions on the Protected Property for the benefit of itself, its successors and assigns and for the benefit of Grantee, its successors and assigns.

NOW THEREFORE, the Grantor, for and in consideration of One Dollar (\$1.00) and other valuable considerations the receipt whereof it does hereby acknowledge, does hereby grant to the Grantee, its successors and assigns, forever and in perpetuity for the benefit of the Benefited Property, the right to enforce by proceedings at law or in equity the covenants hereinafter set forth, which covenants the Grantor hereby makes on behalf

of itself, its successors and assigns, which covenants shall run with and bind the Protected Property in favor of the Benefited Property in perpetuity:

COVENANTS

1. Land Use.

Each of lots 1 through 13, as shown of the plan entitled "Subdivision Plat of Land on Little Diamond Island, Portland, Maine for St. Joseph's Convent & Hospital" dated June 26, 1984, by Owen Haskell, Inc. (the "Plan") shall be used solely for a single family residence, which shall not be a mobile home.

2. Limitation on Further Subdivision.

Lots 1 through 13 as shown on said Plan shall not be further divided. Lot 14 as shown on said Plan shall not be further subdivided for a period of at least ten years from the date hereof and in no event for more than four lots for single family residences, which shall not be a mobile home.

3. Prohibition on Use of Motor Vehicles.

Use of motor vehicles on said Protected Property by Grantor, its successors and assigns, and its and their invitees, shall be limited to (a) vehicles necessary for construction, repair and rebuilding of permitted structures (which vehicles shall be restricted to Grantor's land) and (b) service vehicles for trash collection and the like. Notwithstanding the foregoing, garden tractors (of not more than eight horsepower) and golf carts may be maintained and used on the Protected Property.

4. Oak Tree Protection.

Oak trees shall be preserved to the extent reasonably possible consistent with single family development on each lot of said Plan, and for such further subdivided lots as permitted under covenant no. 2 above.

5. Reserved Rights of Grantor.

Except as expressly limited herein, Grantor reserves for itself, its successors and assigns, all rights as owners in fee simple absolute of the Protected Property, including the right

D-3

to use the Protected Property for all purposes not inconsistent with this grant.

6. Binding Effect.

The covenants agreed to under the terms, conditions, restrictions and purposes imposed by this Conservation Easement shall not only be binding upon Grantor but also its successors and assigns and all other successors to its interests and shall continue as a servitude running in perpetuity with the Protected Property. The Grantor agrees that the terms, conditions, restrictions and purposes of this grant will be inserted in any subsequent conveyance by it of any interest in said Protected Property.

7. Savings Provision.

If any part of this instrument shall be decreed to be invalid by any court of competent jurisdiction, such decree shall not be interpreted so as to invalidate the remainder of said instrument.

TO HAVE AND TO HOLD the said Conservation Easement unto the said Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, the said St. Joseph's Convent & Hospital has caused this instrument to be sealed and signed in its corporate name by Sister Mary George O'Toole, its President, thereunto duly authorized, this th 26 day of July in the year one thousand nine hundred and eighty-four.

SIGNED, SEALED AND DELIVERED
In the Presence of: ST. JOSEPH'S CONVENT & HOSPITAL

Sister Mary Denis Schwartz By: *Sister Mary George O'Toole*
Print: ~~SISTER MARY DENIS SCHWARTZ~~ Sister Mary George O'Toole
Its President, duly authorized

STATE OF MAINE
Cumberland, ss. th July 26, 1984

Personally appeared the above-named Sister Mary George O'Toole, President of St. Joseph's Convent & Hospital, and

D4

acknowledged the foregoing instrument to be her free act and deed in her said capacity, and the free act and deed of said Corporation.

Before me,

SEAL

Kathleen A. Collins
Print: KATHLEEN A. COLLINS
Notary Public

MY COMMISSION EXPIRES
NOVEMBER 27, 1988
~~SEPT~~
July 4, 1984

Little Diamond Island Association, Grantee as aforesaid, hereby accepts the foregoing Conservation Easement.

SIGNED, SEALED AND DELIVERED
In the Presence of:

LITTLE DIAMOND ISLAND ASSOCIATION

Daniel M. Snow
Print: DANIEL M. SNOW

By: *Paul S. Stevens*
Paul S. Stevens
Its Clerk, duly authorized

STATE OF MAINE
Cumberland, ss.

~~SEPT~~
July 4, 1984

Personally appeared the above-named Paul S. Stevens, Clerk of Little Diamond Island Association, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said Corporation.

Before me,

Daniel M. Snow
Print: DANIEL M. SNOW
Notary Public

MY COMMISSION EXPIRES
FEBRUARY 8, 1987

SEAL

RECEIVED

1985 MAY 21 PH 2:54

RECORDED REGISTRY OF DEEDS
CUMBERLAND COUNTY

-5-

James J. Walsh

E 1

CYRUS Y. HAGGE

BUSINESS

Project Management, Inc.
225 Commercial Street, Suite 502
Portland, Maine 04102
(207) 775 - 7442

RESIDENCE

45 Turner Street
Portland, Maine 04101

EDUCATION

M.B.A. – Finance/Marketing, University of Southern Maine
B.S. - Business, University of Southern Maine
Construction Technology, Central Maine Technical Collage
High School - Hebron Academy

EXPERIENCE

- 11/86 - Project Management, Inc. Owner/ Manager of the Portland based construction / project management and property management company, with construction and property management projects in the Southern Maine area.
- 10/06- Maine College of Art, Board member and Vice Chair Facilities Planning Committee.
- 11/03- Portland Downtown District, Current President of the District Board
- 1/02- Cumberland County YMCA, President of the board of Directors.
- 01/90-12/02 Portland Planning Board, Past chair and board member.
- 5/91-11/02 Casco Bay Island Transit District, First elected to board May 1991 and Board Chair from 1996-2002. Duties have included: Treasurer, Chair of the Rate Structure, Pension and Finance Committees.
- 11/88-11/92 Ingraham Volunteers, Treasurer and Board Member .
- 4/86-11/86 New England Financial Advisors, Financial analyst for the Portland based financial planning firm. Responsibilities included financial planning, real estate and construction cost analysis and project management.
- 9/83 -1/86 University of Southern Maine, Part-time instructor and undergraduate teaching assistant in Marketing, Marketing Research and Computers, while a full time MBA Candidate.
- 10/77-8/83 Renaissance Building & Design Inc. Owner and manager of this general contracting company specialized in restoration and renovation of historic properties.

PERSONAL

Married, Three Children, Birth-date 12/29/52

INTERESTS

Competitive swimming, sailing, scuba diving and snowboarding.

Selected List of Construction/Project management projects:

Commercial Renovations:

- * Two Union Street Renovations
- * Greater Portland YMCA Renovations
- * Chase Block: 217 Commercial Street, Portland
- * Preble Street Resource Center: Preble Street, Portland
- * Moore Boathouse: Little Diamond Island, Portland
- * Winslow Block: 225 Commercial Street, Portland
- * Knights of Columbus Building: Park Street, Lewiston
- * Cooper's Corner: Route 9, Kennebunk
- * Clap Building: 373 Fore Street, Portland
- * Thomas Block: 100 Commercial Street, Portland
- * C.H. Robinson Paper Building: 5 Moulton Street, Portland

Residential Renovations:

- * Holt House: Bowdoin Street, Portland
- * Asen Residence: Danforth Street, Portland
- * Robitzek Cottage: Great Diamond Island, Portland
- * Andrew Parker House: Westbrook Street, Portland
- * Wilkis Residence: Shore Road, Cape Elizabeth
- * Gregory Residence: Spring Street, Portland
- * Ward Residence: Shore Road, Cape Elizabeth

New Construction:

- * Jones Residence, Morton Road, Yarmouth
- * Backer Residence: Rugosa Way, Cape Elizabeth
- * Asen Cottage: Little Diamond Island, Portland
- * Higgins Residence: Stonegate Road, Cape Elizabeth
- * McCown Cottage: Little Diamond Island, Portland
- * Eldredge Residence: Pleasant Valley Road, Cumberland Center
- * McCue Cottage : Great Diamond Island, Portland
- * Turina Residence: Yarmouth
- * Mealey Cottage: Little Diamond Island, Portland
- * Dodd Cottage: Little Diamond Island, Portland